

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

ANTHONY LUTES,

Plaintiff,

v.

Case No. CIV-09-212-RAW

MICHAEL J. ASTRUE,  
Commissioner of Social Security  
Administration,

Defendant.

**ORDER**

On September 15, 2010, Magistrate Judge Kimberly E. West entered a Report and Recommendation in the above-referenced case, recommending that this Court affirm the Commissioner's decision upholding on appeal the findings of the Administrative Law Judge ("ALJ"), denying benefits to Plaintiff. Plaintiff has not filed an objection.

Upon full consideration of the entire record and the issues herein, this court finds that the Magistrate Judge's recommendation to affirm the ALJ is well-supported. The ALJ's decision is supported by substantial evidence, and the correct legal standards were applied. As a result, Plaintiff's objections to the Report and Recommendation are overruled. Accordingly, the Report and Recommendation of the United States Magistrate Judge is hereby AFFIRMED and ADOPTED as this court's Findings and Order. The decision of the Commissioner upholding on appeal the findings

of the ALJ is affirmed.

It is so ORDERED this 30th day of September, 2010.

**Dated this 30<sup>th</sup> Day of September 2010.**

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A handwritten signature in cursive script, reading "Ronald A. White", written over a horizontal line.

Ronald A. White  
United States District Judge  
Eastern District of Oklahoma